

**UNITED STATES DISTRICT COURT**  
**District of Minnesota**

Donald Babinski, in his personal  
capacity and as personal  
representative of the Estate of  
John Babinski,

Plaintiffs.

V.

American Family Insurance Group

Defendant

**JUDGMENT IN A CIVIL CASE**

Case Number: 07-CV-3374 (JMR/RLE)

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED THAT:**

This matter comes before the Court on remand from the Eighth Circuit Court of Appeals. The Eighth Circuit has directed that the Court enter summary judgment for defendant American Family Insurance Group. Accordingly, IT IS ORDERED that defendant's motion for summary judgment is granted.

October 9, 2009

Date

RICHARD D. SLETTEN, CLERK

s/MMP

(By)

MMP, Deputy Clerk